

UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

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| In re: |) | |
| |) | |
| SPRINGFIELD LANDMARKS |) | Case No. 10-63128 |
| PRESENTATION TRUST, |) | |
| |) | |
| and |) | |
| |) | |
| GILLIOZ RESTORATION |) | Case No. 10-63130 |
| PARTNERSHIP, LP, |) | |
| |) | |
| Debtors. |) | Joint Administration |

**OBJECTION TO CONFIRMATION OF
DEBTORS' JOINT CHAPTER 11 PLAN**

Pursuant to 28 U.S.C. § 586(a)(3)(B) and 11 U.S.C. § 307, the United States Trustee objects to confirmation of Debtors' Joint Chapter 11 Plan dated May 6, 2011, for the reasons that:

1. Debtors are delinquent in payment of quarterly fees assessed under 28 U.S.C. § 1930(a)(6). Debtors have failed to pay the fees since the filing of the cases on December 31, 2010.
2. Springfield Landmarks Preservation Trust owes an estimated \$651.35 in fees and interest covering two quarters.
3. Gillioz Restoration Partnership owes an estimated \$2,277.73 in fees and interest covering two quarters.
4. Payment of the fees is a condition of confirmation under 11 U.S.C. § 1129(a)(12), and failure to pay the fees is a basis for dismissal of the cases under 11 U.S.C. §

1112(b)(4)(K).

5. Debtors' failure to pay and remain current on such fees suggests a lack of financial feasibility of their Chapter 11 Plan, as must be shown for confirmation pursuant to §1129(a)(11).
6. Debtors list a pre-petition claim to Dunton & Associates, LLC, ("Dunton") in the amount of \$56,748.26. The Joint Plan states that Dunton has provided services to the Debtors during the course of this case. To date, Debtors have not requested approval of Dunton's employment by the Court as required under § 327(a). The United States Trustee understood that Dunton's services would be provided *pro bono*. The arrangement with Dunton should be clarified, and its pre-petition claim either waived or subordinated to the class of general, unsecured creditors.

WHEREFORE, the United States Trustee respectfully requests the Court's order denying confirmation of Debtors' Joint Chapter 11 Plan until the quarterly fees are paid, Debtors otherwise establish feasibility of the Joint Chapter 11 Plan, and comply with the confirmation requirements of § 1129, and for such other and further relief as may be just and proper.

Respectfully submitted,

NANCY J. GARGULA
UNITED STATES TRUSTEE

BY: /s/ Jerry L. Phillips
JERRY L. PHILLIPS, #32799
Office of the United States Trustee
Charles Evans Whittaker Courthouse
400 E. 9th Street, Room 3440
Kansas City, MO 64106
Telephone: (816) 512-1940
Telecopier: (816) 512-1967
E-mail: jerry.l.phillips@usdoj.gov

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served this 10th day of June 2011 via United States Mail, postage prepaid, upon parties requesting notice but who do not receive notice via e-mail through the Electronic Court Filing System.

/s/ Jerry L. Phillips